



## Proposed Fishing Regulation Changes – 2014

August 8, 2013

Note: *New language is in italics.* Deleted language is indicated by strikethrough.

### WESTERN DISTRICT

CHANGE—page 34

#### **LITTLE BITTERROOT LAKE aka Bitterroot Lake**

Salmon: 20 daily and 40 in possession, no more than 2 daily and 4 in possession over 12 inches.

*Bass: No Limit.*

**Rationale:** Little Bitterroot Lake is a wild brood source for kokanee spawntaking to stock 26 other lakes. It is also a backup to the primary kokanee brood lake, Lake Mary Ronan, which has been impacted by illegal yellow perch. Little Bitterroot Lake is also a very popular kokanee fishery producing more than 10,000 days of fishing annually. Illegal largemouth bass were reported in 2006, with illegal smallmouth bass being first reported in 2008. Bass are expected to predate on young and adult kokanee when they cruise the shoreline in spring and adult shoreline spawning kokanee in fall. A No Limit regulation on bass will utilize anglers to help suppress bass while protecting the kokanee. The No Limit proposal will also serve as a disincentive to those who conduct illegal stocking activities by eliminating or reducing sustained sport fishing opportunity.

CHANGE—page 36

#### **NORTH FORK FLATHEAD RIVER**

Closed to angling June 1 through September 30 within a 150-yard radius of the Big Creek stream mouth unless posted at a greater distance

Extended season for whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.

Catch-and-release for cutthroat trout.

Combined Trout: 5 daily and in possession

***Mouth of Big Creek to Blankenship Bridge*** (NOTE: *This is an experimental regulation for the 2014 fishing season only*).

*Combined Trout: 5 daily and in possession. Limit includes rainbow and rainbow/cutthroat hybrid trout, defined for the purposes of this temporary regulation as **any** trout (even those with an orange slash under the jaw) with as many or more spots in the front half of its body as the back half, based on a vertical*

*line drawn through the middle of the dorsal fin to divide the fish into halves.*  
NOTE: Montana/Glacier National Park boundary is the middle of the river.

**Rationale:** Hybridization of westslope cutthroat trout has increased dramatically in the North Fork Flathead in the last few decades, threatening the genetic status of that population. In response, FWP has enacted a targeted suppression project aimed at removing rainbows and hybrids entering select spawning streams in the lower North Fork. The North Fork is a popular fishery with a liberalized rainbow harvest limit (5, any size), meaning that anglers could help by harvesting hybrids. However, the current cutthroat definition (orange slash under the jaw) prevents harvest of even obvious rainbow x cutthroat hybrids. Because of close lineage, up to 25% of pure Arlee rainbow trout show a faint orange slash. Applying this standard to photographs of known pure and hybrid cutthroat and rainbow trout shows the definition is conservative, meaning that many hybrid trout will be released while protecting pure cutthroat. This proposed regulation would be a change from the common definition of cutthroat, and would require some posting of the area with pictures explaining the new definition. If adopted, this would be a one-year temporary regulation which would be monitored through creel surveys for angler compliance at Glacier Rim Access (midway point) and Blankenship Access (end of section). The purpose of the creel surveys would be to measure angler compliance and comprehension and impacts on westslope cutthroat trout through unwarranted harvest.

#### NEW

##### ***SILVER LAKE (near Anaconda)***

*Closed to fishing July 1 through September 30 within a 100 yard radius of the mouth of Storm Lake Creek*

**Rationale:** Since 2010, FWP staff have been actively sampling and moving adult bull trout (10-20 each year) over the Silver Lake Diversion on Storm Lake Creek in an effort to boost bull trout numbers, which are critically low. This regulation would help to protect bull trout that use Storm Lake Creek to spawn. Currently, bull trout residing in Silver Lake start to congregate near the mouth of this stream by mid July. On a number of occasions we have found evidence of angling and snagging tackle in the area. Bull trout are listed as Threatened under the Endangered Species Act, and it is illegal to intentionally fish for them anywhere in the Clark Fork River drainage. Closing this area to angling would be an added measure to protect these fish from illegal harvest.

#### NEW

##### ***STORM LAKE CREEK (tributary to Silver Lake near Anaconda)***

*Closed to fishing July 1 through September 30 from the Silver Lake diversion structure located near the stream mouth down to where the stream enters Silver Lake*

**Rationale:** Since 2010, FWP staff have been actively sampling and moving adult bull trout (10-20 each year) over the Silver Lake Diversion on Storm Lake Creek in an effort to boost bull trout numbers, which are critically low. This regulation would help to protect bull trout that use Storm Lake Creek to spawn. Currently, bull trout residing in Silver Lake start to

congregate at the base of the diversion structure by late July. On several occasions, anglers have been encountered fishing at or near the diversion, even though bull trout tend to be the only species present at that time. Bull trout are listed as Threatened under the Endangered Species Act, and it is illegal to intentionally fish for them anywhere in the Clark Fork River drainage. Closing this area to angling would be an added measure to protect these fish from illegal harvest.

CHANGE—page 40

#### **WARM SPRINGS CREEK (near Anaconda)**

Open entire year on Warm Springs Wildlife Management Area (WMA). See Warm Springs WMA for additional regulations.

Open from third Saturday in May through November 30 outside the Warm Springs WMA.

Extended season downstream of Myers Dam: catch-and-release for trout December 1 to third Saturday in May with artificial lures only.

*Closed to fishing July 1 through September 30 from Myers Dam downstream 50 yards.*

**Rationale:** This regulation would help to protect bull trout that are attempting to migrate to upper Warm Springs Creek to spawn. Currently, Myers Dam is a barrier to upstream movement, and bull trout residing below the dam begin to congregate at its base in late July. On several occasions, anglers have been encountered fishing at the diversion during this time period. While brown trout are the dominant species in the stream at this location, the potential exists for the illegal harvest or unintentional mortality of bull trout. Bull trout are listed as Threatened under the Endangered Species Act, and it is illegal to intentionally fish for them anywhere in the Clark Fork River drainage. Closing this area to angling during the critical time when bull trout are more likely to be present would be an added measure to protect these fish.

### **CENTRAL DISTRICT**

CHANGE—page 55

#### **BIG SPRING CREEK (near Lewistown)**

##### **Entire Creek**

Open entire year

~~Upstream of the US Highway 191 bridge, including East Fork Big Spring Creek downstream from the Reservoir~~

~~Catch-and-release only for all fish species. Fish consumption advisory in effect for this section of river.~~

**Rationale:** The current catch-and-release regulation on fish above US Highway 191 bridge was enacted in 2003 due to contamination of trout muscle tissue with PCBs and

concern over the human health risk posed by that contamination. Concentrations of PCBs were above the DO NOT EAT level (0.47 ug/g) issued by the USEPA and Montana Department of Public Health and Human Services (DPHHS). Subsequent to the cleanup of PCBs from the Big Spring Creek Fish Hatchery in 2005 and the portion of the creek with the highest levels of PCBs in 2011 and 2012, trout are now carrying much lower levels of PCBs. Since 2010, brown trout (which contain higher levels of PCBs than rainbow trout) have averaged only 0.28 ug/g PCBs in the most contaminated portion of the creek above Highway 191. Consequently, fish in the Upper Creek no longer need a DO NOT EAT advisory and a catch-and-release fishing regulation to enforce the advisory. Without the catch-and-release regulation, the District standard Combined Trout regulation of 5 daily and in possession, only 1 over 18 inches will apply. Fish still carry low levels of PCBs, and the Fish Consumption Advisory (issued by DPHHS and FWP) will advise anglers to consume no more than 1 meal/month above Highway 191 and 4 meals/month below Highway 191.

Removal of the catch-and-release regulation is not expected to lead to levels of harvest that will result in a measurable change in trout populations. In surveys conducted in 1996 and 2003, less than 5% and 3% of the trout caught were harvested, respectively. This negligible level of harvest suggests that angling probably plays a small role in the regulation of populations in the creek, where natural annual mortality may be around 30%. Furthermore, there is nothing to suggest the influence of harvest in the comparison of population densities in a long term monitoring section downstream where the District standard Combined Trout regulation has been in effect which have averaged one-third to two thirds **higher** than the two upstream catch-and-release sections. This may be due to better habitat in the lower section, but it also strongly suggests that harvest is not significantly influencing populations.

CHANGE – pages 57 and 64

### **CANYON FERRY RESERVOIR**

Catch-and-release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession any size.

Yellow perch: ~~15~~ 10 daily and in possession

Walleye: ~~10~~ 12 daily, ~~no more than 4 over 16 inches~~, and only 1 over ~~28~~ 25 inches. Possession limit is twice the daily limit.

Northern pike: No limit

Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice.

**Rationale:** Yellow perch are both an important forage species and also a significant component of the winter fishery on Canyon Ferry Reservoir. Yellow perch abundance is currently below management triggers as outlined in the Upper Missouri River Reservoirs Fisheries Management Plan. Dropping the daily bag limit from 15 to 10 fish daily would reduce the impacts of angler harvest to the yellow perch population. Creel data suggests that it could reduce perch harvest approximately 30%. This regulation change alone would likely do little to improve overall perch abundance, but will be enhanced when implemented in conjunction with higher walleye bag limits, as predation by walleye is a greater limiting factor to yellow perch production than angler harvest. Relative abundance of walleye has been trending upward over the past four years, and the proposed walleye

regulation change will reduce abundance while maintaining a desirable size structure. It is estimated that increasing the bag limit from 10 fish to 12 fish daily and adjusting the length limit to 1 fish over 25 inches may increase angler harvest approximately 4%. This small increase in walleye harvest could reduce the number of perch consumed by an estimated 65,000 fish. Increasing the daily walleye limit even further (above 12) would reduce perch consumption, but would jeopardize the walleye size structure desired by anglers.

CHANGE – pages 60, 61 and 64

### **HAUSER RESERVOIR**

#### **Including Canyon Ferry Dam tailwater and Lake Helena**

Combined Trout and Salmon: 5 trout and salmon daily and in combination and 10 trout and salmon in possession in any combination.

Walleye: 20 daily, only 1 over 25 ~~28~~ inches. Possession limit is twice the daily limit.

Yellow perch: ~~25~~ 10 daily and ~~no possession limit.~~ *in possession, except from April 1 through June 30, only 1 fish daily and in possession, 14 inch minimum.*

Northern pike: No limit

Catch-and-release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession, any size.

Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

**Rationale:** Yellow perch are both an important forage species and also provide an additional component to the sport fishery of Hauser Reservoir. Yellow perch abundance is currently below management triggers as outlined in the Upper Missouri River Reservoirs Fisheries Management Plan. Dropping the daily bag limit from 25 to 10 fish daily would reduce the impacts of angler harvest to the yellow perch population. There is also a period of relatively high yellow perch harvest in the spring on Lake Helena, and implementing a seasonal length restriction from April 1 to June 30 would preserve this spawning stock of perch. The length limit change for walleye (28 to 25 inches) is proposed to maintain consistency in length limit regulations within the reservoir system. In addition, there is a period of high walleye harvest on Lake Helena (part of Hauser Reservoir) in the spring, and this regulation could place additional protection to trophy sized fish during that period.

CHANGE – page 60 and 64

### **HOLTER RESERVOIR**

#### **Up to American Bar Gulch (approx. 4.6 miles downstream from Hauser Dam)**

Catch-and-release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession, any size.

Combined Trout and Salmon: 5 rainbow trout and salmon daily in any combination and 10 rainbow trout and salmon in possession in any combination.

Yellow perch: 25 daily and no possession limit.

Walleye: 10 daily, only 1 over 25 ~~28~~ inches. ~~and all fish between 20 and 28 inches must be released.~~ Possession limit is twice the daily limit.

Northern pike: No limit

Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

**Rationale:** Walleye abundance is currently above management triggers as outlined in the Upper Missouri River Reservoirs Fisheries Management Plan. The higher densities have reduced growth rates, which has rendered the current 20 to 28 inch slot limit no longer effective at influencing the abundance or size structure of the walleye population. Eliminating the existing length restrictions for walleye should have the desired effect of reducing population abundance, while maintaining the size structure. As a secondary benefit, the length limit change for walleye (28 to 25 inches) is proposed to maintain consistency in length limit regulations within the reservoir system.

#### NEW

#### ***PELICAN POINT POND #1 (largest pond on Pelican Point FAS--near Cascade)***

*Northern Pike: No Limit*

**Rationale:** Northern pike were illegally introduced into Pelican Point Pond #1, probably within the past 3-4 years. Pike abundance has increased substantially in 2013, and their continued presence and increase in numbers will threaten the existing family-friendly fishery of largemouth bass and yellow perch and the second tier of the fishery as well that includes trout. The “No Limit” proposal will serve as a disincentive to those who conduct illegal stocking activities by using anglers to suppress pike numbers and thereby eliminate any sustained sport fishing opportunity.